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FRED L. MORRISON
April 17, 1985



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Michael Wahoske, Esq. Dorsey and Whitney 2200 First Bank Place East Minneapolis, MN 55402

Re: U.S., et al. v. Reilly Tar & Chemical Corp.,

et. al.

Our File No: 3857-011

Dear Mr. Wahoske:

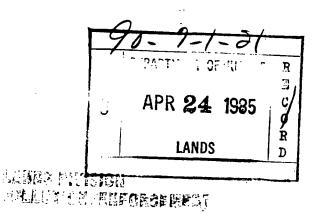
Per your request, please find enclosed a copy of the Stipulation and Order granting the City leave to file its Second Amended Complaint in the above captioned matter. The Stipulation has been signed by Elizabeth Thompson. The originals have been sent to Judge Magnuson for his signature. I have requested the Judge's Calendar Clerk to forward an executed copy of the Order to all parties.

Thank you for your cooperation.

Very truly yours,

James T. Bell Legal Assistant

JTB:kjm cc: All Counsel of Record 4807g



UNITED STATES DISTRICT COURT DISTRICT OF MINNESOTA FOURTH DIVISION

UNITED STATES OF AMERICA,

Civil No. 4-80-469

Plaintiff.

and

STATE OF MINNESOTA, by its Attorney General Hubert H. Humphrey, III, its Department of Health, and its Pollution Control Agency,

Plaintiff-Intervenor,

vs.

REILLY TAR & CHEMICAL CORPORATION; HOUSING AND REDEVELOPMENT AUTHORITY OF ST. LOUIS PARK; OAK PARK VILLAGE ASSOCIATES; RUSTIC OAKS CONDOMINIUM, INC.; and PHILIP'S INVESTMENT CO.,

Defendants,

and

STIPULATION AND ORDER

CITY OF ST. LOUIS PARK,

Plaintiff-Intervenor,

vs.

REILLY TAR & CHEMICAL CORPORATION,

Defendant,

and

CITY OF HOPKINS,

Plaintiff-Intervenor,

vs.

REILLY TAR & CHEMICAL CORPORATION,

Defendant.

IT IS HEREBY STIPULATED AND AGREED, by and between the City of St. Louis Park ("City") and Reilly Tar & Chemical Corporation ("Reilly"), that, although Reilly opposes the motion of the City for leave to file a Second Amended Complaint in Intervention in the above matter, in light of the Court's Order of April 5, 1985 granting the State of Minnesota's motion to amend its Complaint in Intervention, Reilly will not file a formal opposition to the City's motion, and the matter will stand as if the Court granted the motion of the City for leave to file a Second Amended Complaint in Intervention over Reilly's opposition thereto. Reilly reserves all rights it would have if the motion had been granted over its formal opposition thereto.

Dated: 4/12/85

DORSEY & WHITNEY

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Edward J. Schwartzbauer Becky A. Comstock

Michael J. Wahoske

James E. Dorsey III 2200 First Bank Place East Minneapolis, Minnesota 55402 Telephone: (612) 340-2600

Attorneys for Defendant
Reilly Tar & Chemical Corporation

Dated: 4/16/85

POPHAM, HAIK, SCHNOBRICH, KAUFMAN & DOTY, LTD.

By Shiber G. Thompson Way De G. Popham

Elizabeth A. Thompson Thomas C. Mielenhausen

- 2 - 4344 IDS Center
Minneapolis, Minnesota 55402
Attorneys for the City
of St. Louis Park

It is so ordered.

Dated:

Paul A. Magnuson
Judge, United States District Court